IN THE HIGH COURT OF JUDICATURE

ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE M.VENKATESWARA REDDY

WRIT PETITION NO :5660 of 2006

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Dated: 27th March 2006.

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Between:

The Superintendent of Post Offices, Wanaparthy Division and others.

..... PETITIONERS

AND

Sri E.Pandiah

.....RESPONDENTS

THE HON'BLE SRI JUSTICE J.CHELAMESWAR

AND

THE HON'BLE SRI JUSTICE M.VENKATESWARA REDDY

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W.P.NO.5660 OF 2006

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ORAL ORDER:

(Per the Hon'ble Sri Justice J.Chelameswar)

This writ petition is filed with the prayer as follows:

> " For the reasons stated in the accompanying Affidavit, the petitioner herein pray that this Hon'ble High Court of Andhra Pradesh may be pleased to issue a Writ, order or direction, particularly one in the nature of writ of certiorari calling for the records pertaining to the order dated 24.12.2004 in OA No.1329 of 2004 on the file of the Hon'ble CAT, Hyderabad Bench, Hyderabad and to quash the same by holding the same as illegal, arbitrary and pass such other order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

It is clear from the prayer that while the order under challenge is dated 24-12-2004 the writ petition is received in this Court on 20-03-2006, after a lapse of almost 15 months. The only explanation given for the delayed approach is at Paragraph No.10 of the affidavit filed in support of the petition, which reads as follows:

> " 10. It is submitted that the order dated 24.12.2004 of the Hon'ble Tribunal in OA No.1329 of 2004 was received in the office of the petitioner 2 herein on 07.01.2005. The same was referred to the Circle Office for instructions on 17.01.2005. Circle Office in turn referred the case to the Postal Directorate, New Delhi. Postal Directorate vide letter dated 12.09.2005, called for the legible copy of the Hon'ble Tribunal order dated 24.12.2004 and the same was supplied on 16.09.2005. CO was reminded on 18.11.2005, endorsing a copy to Postal Directorate. Postal Directorate vide letter dated 13.12.2005 informed that the matter is under active consideration in the Directorate in consultation with the other departments. CO vide letter dated

13.02.2006 directed to contest the orders of the Hon'ble Tribunal dated 24.12.2004 by filing WP in Hon'ble High Court of AP, since the orders of the Hon'ble Tribunal are contrary to DG Posts, New Delhi letter No.17-9/2001-ED& Trg. Dated 15.02.2001. The case is entrusted to Asst. Solicitor General of India on 27.02.2006 for filing the WP. In this administrative process there is a delay in filing WP."

We are not convinced with the explanation, if at all it could be called as an explanation, and therefore, writ petition is liable to be dismissed on the ground of latches.

Accordingly, the writ petition is dismissed at the stage of admission, on the ground of latches.

J.Chelameswar, J

M.Venkateswara Reddy, J

mrk

27th March 2006.